

1 LARRY A. PETERSON, State Bar No. 138416
2 LAW OFFICE OF LARRY A. PETERSON
3 2021 The Alameda, Suite 160
4 San Jose, CA 95126
5 Tel: 408.249.6064
6 lapetersn@gmail.com

7 Attorney for Plaintiff
8 DANIEL SULLIVAN
9

10 ERIC MECKLEY, SBN 168181
11 KATHRYN M. DANCISAK, SBN 259392
12 MORGAN, LEWIS & BOCKIUS LLP
13 One Market, Spear Street Tower
14 San Francisco, CA 94105-1126
15 Tel: 415.442.1000
16 Fax: 415.442.1001
17 emeckley@morganlewis.com
18 kdancisak@morganlewis.com

19 Attorneys for Defendants
20 ARAMARK UNIFORM & CAREER
21 APPAREL, LLC (improperly named as
22 ARAMARK UNIFORM AND CAREER
23 APPAREL, INC.) and BILL PACHECO
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25 UNITED STATES DISTRICT COURT
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27 NORTHERN DISTRICT OF CALIFORNIA
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29 SAN JOSE DIVISION
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31 DANIEL SULLIVAN,
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33 Plaintiff,
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35 vs.
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37 ARAMARK UNIFORM AND CAREER
38 APPAREL, INC.; BILL PACHECO;
39 INTERNATIONAL BROTHERHOOD OF
40 TEAMSTERS, LOCAL 853; MICHAEL
41 AMARAL; ROME ALOISE, and DOES 1
42 to 10, inclusive,
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44 Defendants.
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46 Case No. C 11-02973 HRL
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48 **JOINT STIPULATION; DECLARATION;
49 AND ~~PROPOSED~~ ORDER CONTINUING
50 CASE MANAGEMENT CONFERENCE**

51 Date: October 25, 2011
52 Time: 1:30 p.m.
53 Courtroom: 2
54 Judge: Hon. Howard R. Lloyd

55 Date of Filing: March 9, 2011
56

57 **JOINT STIPULATION; DECLARATION; AND
58 ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT CONFERENCE
59 (CASE NO. C 11-02973 HRL)**

1 Pursuant to Northern District Civil Local Rules 6-2(a) and 7-12 , Plaintiff Daniel Sullivan
 2 (“Plaintiff”) and Defendants ARAMARK Uniform & Career Apparel, LLC (“AUCA”) (sued as
 3 ARAMARK Uniform and Career Apparel, Inc.), Bill Pacheco, International Brotherhood of
 4 Teamsters, Local 853, Michael Amaral, and Rome Aloise (collectively, “Defendants”) (Plaintiff
 5 and Defendants are referred to as the “Parties” herein), by and through their respective counsel,
 6 stipulate and agree to the following:

7 WHEREAS, on September 16, 2011, the Union and ARAMARK defendants each filed
 8 motions to dismiss Plaintiff’s First Amended Complaint;

9 WHEREAS, Defendants’ motions to dismiss are set for hearing on November 8, 2011;

10 WHEREAS, this Court has scheduled this matter for an initial Case Management
 11 Conference on Tuesday, October 25, 2011, at 1:30 p.m.;

12 WHEREAS, given the pending motions to dismiss, conducting the initial Case
 13 Management Conference prior to the Court’s ruling on such motions would result in judicial
 14 inefficiency and create an unnecessary drain on the time and resources of both the Court and the
 15 Parties. As a result, the Parties agree and respectfully request that the initial Case Management
 16 Conference be continued to a date no earlier than November 29, 2011, in order to allow sufficient
 17 time for the Court to rule on Defendants’ respective motions and for the Parties to evaluate their
 18 positions following the Court’s ruling. No prior extensions of time have been requested;

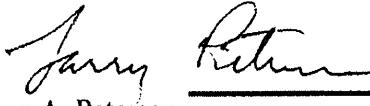
19 WHEREAS, the Parties request that the deadline for filing of their Joint Case
 20 Management Conference Statement be continued to seven (7) days before the date of the
 21 continued initial Case Management Conference;

22 THEREFORE, IT IS HEREBY STIPULATED by and between the Parties that the initial
 23 Case Management Conference be continued to a date no earlier than November 29, 2011, at 1:30
 24 p.m., and the deadline for the filing of the Joint Rule 26(f) Report will be continued until seven
 25 (7) days prior to the date of the continued Case Management Conference. Filed concurrently
 26 herewith is the Declaration of Kathryn Dancisak in support of this Stipulation, in compliance with
 27 and pursuant to Civil Local Rule 6-2(a).

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2 Dated: October 12, 2011

LAW OFFICE OF LARRY A. PETERSON

3
4 By: 
5 Larry A. Peterson
6 Attorney for Plaintiff
7 DANIEL SULLIVAN

8 Dated: October 12, 2011

9 MORGAN, LEWIS & BOCKIUS LLP

10 By: /s/ Kathryn M. Dancisak
11 Kathryn M. Dancisak
12 Attorneys for Defendants
13 ARAMARK UNIFORM & CAREER
14 APPAREL, LLC and BILL PACHECO

15 Dated: October 12, 2011

16 BEESON, TAYER & BODINE

17 By: Andrew H. Baker
18 Attorneys for Defendants
19 INTERNATIONAL BROTHERHOOD
20 OF TEAMSTERS, LOCAL 853,
21 MICHAEL AMARAL, and ROME
22 ALOISE

1 Dated: October 12, 2011

LAW OFFICE OF LARRY A. PETERSON

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By: _____

Larry A. Peterson
Attorney for Plaintiff
DANIEL SULLIVAN

Dated: October 12, 2011

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Kathryn M. Dancisak _____

Kathryn M. Dancisak
Attorneys for Defendants
ARAMARK UNIFORM & CAREER
APPAREL, LLC and BILL PACHECO

Dated: October 12, 2011

BEESON, TAYER & BODINE

By: /s/ Andrew H. Baker _____

Andrew H. Baker
Attorneys for Defendants
INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 853,
MICHAEL AMARAL, and ROME
ALOISE

DECLARATION

I, Kathryn M. Dancisak declare under penalty of perjury as follows:

1. I am an associate at the law firm of Morgan, Lewis & Bockius LLP, attorneys for Defendants ARAMARK Uniform & Career Apparel, LLC (“AUCA”) (sued as ARAMARK Uniform and Career Apparel, Inc.) and Bill Pacheco in this action. I am licensed to practice law in the State of California and have been admitted to practice in the Northern District of California. I have direct and personal knowledge of the facts set forth in this declaration, and, if called as a witness, I could and would competently testify to these facts.

2. The reason for the requested continuance of the initial Case Management Conference is to promote judicial efficiency and conserve the time and resources of both the Court and the Parties in light of the pending motions to dismiss the First Amended Complaint.

3. The Court previously continued the initial Case Management Conference until October 25, 2011 by Notice of the Clerk after the Court dismissed Plaintiff's Complaint.

4. After Plaintiff filed a First Amended Complaint, Defendants filed motions to dismiss the First Amended Complaint, which are noticed for hearing on November 8, 2011.

5. I have met and conferred with counsel for all Parties and we agreed to stipulate to continue the Case Management Conference to a date no earlier than November 29, 2011. This will allow sufficient time for the Court to rule on Defendants' respective motions and for the Parties to evaluate their positions following the Court's ruling.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 12th day of October 2011 at San Francisco, California.

/s/ Kathryn M. Dancisak
Kathryn M. Dancisak

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The initial Case Management Conference in this matter is continued to
December 13, 2011 . A joint case management conference statement

must be filed seven (7) days prior to the Case Management Conference.

Dated: October 19, 2011

Honorable Howard R. Lloyd
United States Magistrate Judge

1 **C11-02973 HRL Notice will be electronically mailed to:**

2 Andrew H. Baker abaker@beesontayer.com, eaviva@beesontayer.com,

lodge@beesontayer.com

3 Eric Meckley emeckley@morganlewis.com, mary.gonzalez@morganlewis.com

Kathryn M. Dancisak kdancisak@morganlewis.com, kgregory@morganlewis.com

4 Larry Alan Peterson lapetersn@gmail.com

5 **Counsel are responsible for distributing copies of this document to co-counsel who have not**
registered for e-filing under the court's CM/ECF program.